

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application of: Donald Lee Morrow
For: INBRED MAIZE LINE PH5DR,

the specification of which is being transmitted herewith.

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

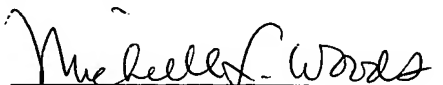
Attached are copies of PTO 1449A and PTO-892 listing the relevant art known to the applicant herein. The Examiner is requested to consider the references and make them of record. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 09/760,156, filed on January 12, 2001. Each of the references listed on Forms PTO 1449A and PTO-892 were submitted to, and/or cited by, the Patent Office in the prior application(s) and, therefore, are not required to be provided in this application.

Applicant discloses herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose. Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement, except those identified above.

=====

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Box NEW APP – FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, prior to 5:00 p.m. on the 29 day of January, 2004.


MICHELLE L. WOODS
Express Mail Label # EL 974183844 US

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lila A. T. Akrad". The signature is fluid and cursive, with the first name "Lila" being the most prominent.

LILA A. T. AKRAD, Reg. No. 52,550
McKEE, VOORHEES & SEASE, P.L.C.
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Phone No. (515) 288-3667
Fax No. (515) 288-1338
CUSTOMER NO: 27142

- pw -

Attorneys of Record

Form PTO 1449-A				ATTY. DOCKET NO. 1365		Application No. 09/760,156	
INFORMATION DISCLOSURE CITATION				Applicant Donald Lee Morrow			
(Use several sheets if necessary)				Filing Date January 12, 2001		Group Art Unit 1638	
U.S. & FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLA SS	FILING DATE
		1 6 0 3 9 0		EP			11/6/85
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
A1		Conger, B.V., et al. (1987) "Somatic Embryogenesis From Cultured Leaf Segments of <i>Zea Mays</i> ", <u>Plant Cell Reports</u> , 6:345-347.					
A2		Duncan, D.R., et al. (1985) "The Production of Callus Capable of Plant Regeneration From Immature Embryos of Numerous <i>Zea Mays</i> Genotypes", <u>Planta</u> , 165:322-332.					
A3		Edallo, et al. (1981) "Chromosomal Variation and Frequency of Spontaneous Mutation Associated with <i>in Vitro</i> Culture and Plant Regeneration in Maize", <u>Maydica</u> , XXVI: 39-56.					
A4		Green, et al., (1975) "Plant Regeneration From Tissue Cultures of Maize", <u>Crop Science</u> , Vol. 15, pp. 417-421.					
A5		Green, C.E., et al. (1982) "Plant Regeneration in Tissue Cultures of Maize" <u>Maize for Biological Research</u> , pp. 367-372.					
A6		Hallauer, A.R. et al. (1988) "Corn Breeding" <u>Corn and Corn Improvement</u> , No. 18, pp. 463-481.					
A7		Meghji, M.R., et al. (1984). "Inbreeding Depression, Inbred & Hybrid Grain Yields, and Other Traits of Maize Genotypes Representing Three Eras", <u>Crop Science</u> , Vol. 24, pp. 545-549.					
A8		Phillips, et al. (1988) "Cell/Tissue Culture and In Vitro Manipulation", <u>Corn & Corn Improvement</u> , 3rd Ed., ASA Publication, No. 18, pp. 345-387.					
A9		Poehlman et al., (1995) <u>Breeding Field Crop</u> , 4th Ed., Iowa State University Press, Ames, IA., pp. 132-155 and 321-344.					
A10		Rao, K.V., et al., (1986) "Somatic Embryogenesis in Glume Callus Cultures", <u>Maize Genetics Cooperative Newsletter</u> , No. 60, pp. 64-65					
A11		Sass, John F. (1977) "Morphology", <u>Corn & Corn Improvement</u> , ASA Publication. Madison, Wisconsin, pp. 89-109.					
A12		Songstad, D.D. et al. (1988) "Effect of ACC (1-aminocyclopropane-1-carboxylic acid), Silver Nitrate & Norbonadiene on Plant Regeneration From Maize Callus Cultures", <u>Plant Cell Reports</u> , 7:262-265.					
A13		Tomes, et al. (1985) "The Effect of Parental Genotype on Initiation of Embryogenic Callus From Elite Maize (<i>Zea Mays</i> L.) Germplasm", <u>Theor. Appl. Genet.</u> , Vol. 70, p. 505-509.					
A14		Troyer, et al. (1985) "Selection for Early Flowering in Corn: 10 Late Synthetics", <u>Crop Science</u> , Vol. 25, pp. 695-697.					
A15		Umbeck, et al. (1983) "Reversion of Male-Sterile T-Cytoplasm Maize to Male Fertility in Tissue Culture", <u>Crop Science</u> , Vol. 23, pp. 584-588.					
A16		Wright, Harold (1980) "Commercial Hybrid Seed Production", <u>Hybridization of Crop Plants</u> , Ch. 8: 161-176.					
A17		Wych, Robert D. (1988) "Production of Hybrid Seed", <u>Corn and Corn Improvement</u> , Ch. 9, pp. 565-607.					
A18		Lee, Michael (1994) "Inbred Lines of Maize and Their Molecular Markers", <u>The Maize Handbook</u> Ch. 65:423-432					
A19		Boppenmaier, et al., "Comparisons Among Strains of Inbreds for RFLPs", <u>Maize Genetics Cooperative Newsletter</u> , 65:1991, pg. 90					
A20		Smith, J.S.C., et al., "The Identification of Female Selfs in Hybrid Maize: A Comparison Using Electrophoresis and Morphology", <u>Seed Science and Technology</u> 14, 1-8					
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.							

Notice of References Cited	Application/Control No. 09/760,156	Applicant(s)/Patent Under Reexamination MORROW, DONALD LEE	
	Examiner David Kruse	Art Unit .1638	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,367,109	11-1994	Segebart	800/200
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notic of R ferenc s Cited	Application/Control No. 09/760,156	Applicant(s)/Patent Under Reexamination MORROW, DONALD LEE	
	Examiner David H Kruse	Art Unit 1638	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Docum nt Numb r Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,523,520	06-1996	Hunsperger et al	800/260
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
X	U	Berry et al 2000, Assessing probability of ancestry using simple sequence repeat profiled: applications to maize hybrids and inbreds. Genetics 161:813-824.
	V	Damell et al 1990, In Molecular Cell Biology, Scientific American Books, Inc. New York, New York, page 478.
	W	Kraft et al 2000, Theor. Appl. Genet. 101:323-326.
	X	Esh d et al 1996, Genetics 143:1807-1817.

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notic of R ferences Cited	Application/Control No. 09/760,156	Applicant(s)/Patent Under R examination MORROW, DONALD LEE	
	Examiner David H Kruse	Art Unit 1638	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classificati n
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
X	U	Openshaw et al 1994, Proceedings Symposium of the Analysis of Molecular Data, August 1994, pp. 41-43. Crop Science Society of America, Corvallis, OR
X	v	Poethig 1982, Maize, the plant and its parts. In Maize for Biological Research, W.F> Sheridan (Ed), University of North Dakota Press, Grand Forks, ND, pages 9-18
X	w	UPOV Publication No. 644(E), Section 1, 1991 Act of the Convention, pages 7 and 8
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.